SUPREME COURT, U. S.

MICHAEL RODAK, JR.

IN THE

Supreme Court of the United States

No. 73-1000

BETTY WILSON,

Petitioner,

vs.

EDWARD KRANTZ, DAVID LINN AND LEONARD RING,

Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS.

BETTY WILSON, *Pro Se,*
801 Newberry,
La Grange Park, Illinois 60525.

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PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS.

Petitioner Betty Wilson, plaintiff below, prays that a Writ of Certiorari be issued to review the opinions of the Appellate Court of Illinois, dated 4-25-73 and the Supreme Court of Illinois, dated 11-19-73. These opinions are set in the Appendix attached to this Petition.

QUESTIONS PRESENTED.

The plaintiff hopes nothing so technical as that the brief and argument not complying with rules governing appeals is in any way held against her.

If the plaintiff complaint is of an unverified complaint, this too is not to be held against her, since she had twice tried to file papers and had been told on August 19, 1971 that at this time they were correct.

STATUTES INVOLVED.

Ott v. *Hood*, 152 Wis. 97, 139 N. W. 762 (1913);
Nogle v. *Nogle*, 53 Ill. App. 2d 457, 202 N. E. 2d 683 (1964);
Keithley v. *Mutual Life Ins. Co.*, 271 Ill. 584, 111 N. E. 503 (1916);
Fortune v. *English*, 226 Ill. 262, 80 N. E. 781 (1907);
Bush v. *Continental Cas. Co., Bunker Hill Country Club* v. *McElhatton*, 282 Ill. App. 221 (1935);
Gunton v. *Hughes*, 79 Ill. App. 661 (1898); and
Bartalott v. *International Bank*, 14 Ill. App. 158 (1883).

STATEMENT OF THE CASE.

The power of a reviewing court is to review the trial judges ruling. In the case of plaintiff against Edward Krantz, David Linn and Leonard Ring, their case was dismissed on limitation of time as plaintiff failed to file her suit against these men. Allowance of their costs were denied by Judge Abraham Brussel. Lawyers for the past 10 years have taken no steps to help plaintiff and have acted against her best interests. She has no other course but to act on her own, so plaintiff asks this high court to bear with her if she is not familiar with the language of the legal world and that she tried her very best.

Plaintiff filed suit against 11 lawyers on August 19, 1971 for $50,000 each. In my complaint that I had hired these lawyers, all except Edward Krantz who was assigned by the court as Guardian Litem, and that they had misrepresented me in my contested divorce action and they are liable for malpractice as attorneys at law. She asked for $50,000 against these men. This the plaintiff believes to be a novel area of the law, as in the words of Judge Raymond Drymalski, he stated in his courtroom on January 1, 1966 that in all his 23 years on the bench he hadn't had a case like it. It was on or about this date that Judge Drymalski assigned Edward Krantz to be the Guardian

Litem. I went into great detail about the unpaid bills which by court order of Judge Feldman should have been paid. Judge Feldman said if Mr. Wilson did not comply with the orders to pay his bills he would go to jail. I also told him of the money I had borrowed to pay the lawyers who didn't take any steps to help plaintiff, and who had missed court dates, etc.

The divorce papers state that plaintiff was represented by guardian litem and counsel. She did not have any attorney in the court room.

Julius Echeles has made the statement that having read her files, he does not believe she was legally divorced.

Fraud and torte Edward Krants was familiar with even if plaintiff wasn't at this time. He could have made a phone call and demanded Julius Marciniak return the $500 and he must have known that Julius Marciniak hadn't even signed in as my lawyer (plaintiff was not aware of this until she filed these papers).

Plaintiff lost this case against Julius Marciniak in Judge Brussel's courtroom this spring on the limitation of time. It was the same on November 11, 1971 when charges against Norman Becker, Karl Klomann and Selwyn Blum were dropped by Judge Abraham Brussel on the grounds of the limitation of time. Their plea for legal costs so wrongfully incurred were denied. Plaintiff thought Edward Krantz was a lawyer for her since this man until a few days before the court date of the divorce informed her that he was not and could not act as her lawyer and that she would have to take any settlement Mr. O'Brien decided upon. Mr. O'Brien was Mr. Wilson's attorney for 18 months. Needless to say finances were no better with Edward Krantz than with her other lawyers.

Plaintiff not only could not hire a lawyer to represent her in the courtroom at the time of the divorce, but since the divorce has hired 7 lawyers, none of that 7 lawyers have obtained the money due and owing to her on the divorce papers.

The plaintiff is trying to make clear to this court that she has tried every step open to her to find a way not to act on her own. Even tho Edward Krantz was the Guardian Litem for plaintiff she through her own efforts had money returned in the amount of $850 from Lawyer Barnet Perel. Barnet Perel claimed he was waiting for some lawyer to call upon him. Why didn't Ed Krantz.

When it is stated plaintiff took no steps against her lawyers within the limitation of time she has tried her best to get lawyers to do this. The first court date was assigned to Judge Albert Hallet where these lawyers on October 8, 1971 asked to have this case dismissed. He assigned the case to Judge Abraham Brussel November 11, 1971. On March 10, 1972 motions for dismissal by Edward Krantz in front of Judge Burr were denied. On March 27, 1972 order by Abraham Brussel allowing dismissal on grounds that plaintiff had stated she gave $3,500 to Edward Krantz. This she denied in the Appellate Court. She stated that she had 'heard' that Edward Krantz had been paid $3,500 which she and her two children were given $4,800 a year to live on. The income for the family had been $25,000 a year.

The Appellate Court stated that the plaintiff pleaded her case in a rambling, incoherent manner yet three lawyers congratulated her upon leaving the courtroom stating that she had done very well for her first time in the Appellate Court.

I was allowed to consolidate these two cases at the suggestion of Judge Abraham Brussel which I believe was an indication that the case should be heard by a higher court.

In the Appellate Court when plaintiff had concluded her argument of 20 minutes one of the judges, plaintiff believes him to be Judge Berman, argued the point of how many lawyers plaintiff had engaged. He stated it was impossible that none of these lawyers did anything for the plaintiff yet this is true. Not one did. He then asked what about the lawyer who got your farm money. Plaintiff informed him that she had been the

lawyer to do that. She was corrected by Thaddeus Adesko that what the plaintiff meant was that she had to act on her own even for this.

For the reasons stated herein plaintiff prays that the decision in the above case be changed in her favor.

ARGUMENT.

Leonard Ring's argument is that he handed over the papers to a lawyer. This he did when plaintiff found out how he was going to plead her case. She asked him to call Julius Echoles—immediately Mr. Echoles came to Leonard Ring's office and he was as shocked as plaintiff when he heard he would base his case to have it appealed on Mrs. Wilson's health. Mr. Echole's answer was—with an income of $25,000 you can't base it on Money—then stated Betty you don't need any more of this, get your papers and we left together.

It was Julius Echoles that made Leonard Ring return most of the $1,000. Julius Echoles didn't have time to act as my lawyer but stated he would get me someone. By now I told him I didn't wish to have any more if he wouldn't take the case. After 11 lawyers and nothing done for me I was ready to give up. Julius Echols took the papers from Leonard Ring and called and said he would be my lawyer. I was grateful until he too asked for a thousand dollars—my answer was I'll gladly give you the $1000—because by now plaintiff had been forced to sell her farm land for $150.00 an acre to pay friends back who had paid attorney fees and bills. So she had $1000 and was very much in need of a lawyer but told Mr. Echoles that she would take his advice and not give a cent to a lawyer unless he did something for her. So I asked Mr. Echoles to get my Quit Deed on my home from Don O'Brien's office—this had never been done even though a year had passed and plaintiff had paid over $1,000 to Pat Mahoney and Leonard Ring. When Julius Echoles didn't get the Quit Deed she did not send her

$1,000 to him. Later his papers showed that he signed in with Leonard Ring. So the plaintiff is glad she didn't give him $1,000.

Was it proper to dismiss Edward G. Krantz—who did? Plaintiff doesn't know, she was told by him in his office that he wasn't her lawyer only her Guardian Litem. So when she heard this she went out on her own to find another lawyer (Number 8) Barnet Perrel and her close girl friend gave her $1,000 to retain him. He stated he would drop all his other cases and take her case to the Supreme Court if necessary. Instead he had a heart attack—It was necessary again for plaintiff (like two days before a court date) to find a lawyer. David Linn called me at my home stating he had heard I was in need of a lawyer. He said I couldn't afford his price but if I came up with $500 he would take it. If he hadn't said he knew Julius Yacker I wouldn't have gone to his office because by now I was really getting scared of any lawyer. (It was Norman Becker who instead of taking steps to have Mr. Wilson put in jail for contempt of court of bills, got a court order for plaintiff to see a psychiatrist).

Plaintiff did go to his office and she went into great detail of her case. He took her $500 and told her he would go to see Ed Krantz or have him come to his office. He then told plaintiff he wouldn't make an appearance for her in the courtroom but she need only stand up and tell Judge Raymond Drymalski that she was without counsel—and that Barnet Perel was in the hospital. Plaintiff did as he told her on July 8, 1966 the day of her divorce. Did Judge Drymalski do right to not grant a continuance?—and order Mr. O'Brien to go get Ed Krantz who plaintiff knew would not act in any way to help her. I certainly think so. There was nothing I wanted more than my divorce and Judge Drymalski knew I would never get it if he didn't take the necessary steps. He was the only one who tried to help me. He had not even engaged a lawyer for her the 7 months he was to be her Guardian Litem.

Judge Drymalski told both Ed Krantz & Don O'Brien he was interested in the money situation and to bring the income tax papers in his chambers.

After this he said Mrs. Wilson, your husband's take-home pay is $1,900 a month how much do you and the children need to live on. I told him $950 a month. Later at another conference Ed Krants states to plaintiff she will be receiving more than she asked for. But the divorce papers didn't read this way—only $400 a month plus bonus money. Let it be stated here that David Linn was the one who gave her divorce papers—so shouldn't plaintiff believe he was her lawyer.

David Linn did return the $500 but before he did Don O'Brien took action in the courtroom once again against plaintiff—taking all shares of stock that were in Plaintiff's name.

The record states that plaintiff and her attorney were notified of the court date. What lawyer, unless David Linn or Guardian Litem Ed Krantz. Plaintiff never received any notice on it and didn't even know of this action until filing suit against these men. This is concealed evidence like in *Ott* v. *Hood.*

Counseled by the finest lawyers in Chicago and it is not negligence on the plaintiff's part—she has tried by doing what would seem proper by every man and woman. Engaging a lawyer to protect her. It would seem to plaintiff if a doctor said to his patient you know you need an operation and the patient said yes—I had 15 doctors—this would prove she had taken all steps she knew to have it done. But she is confronted with, when they didn't you should have operated (on yourself)? This is just about as drastic a step as I am trying to do by attempting to be my own lawyer. Even a Judge would not attempt to be his own lawyer—yet plaintiff has been forced to do this.

Mr. Wilson is in contempt of $41,000 money that plaintiff has due on the divorce papers. She has had 2 lawyers on this in the past 3 years and the last one (who she could sue within the

time limitation) but realizes that he is being honest when he states "I have a family to support and your case would have to be heard in Judge Linn's courtroom then he added he doesn't like you very much. This plaintiff can understand but she turns to this high court to pray that steps will be taken against David Linn, Leonard Ring and Ed Krantz, if only in a small amount of money so she can get the law to make her ex-husband at least comply with the divorce papers. The law should not belong to the ones who can afford it.

CONCLUSION.

For reasons stated herein, plaintiff has sufficient grounds for her action of this case based on fraud and has not lost her original course of action on the Statute of Limitations or in any other way.

Therefore—Plaintiff respectfully prays that the judgment of the trial court be reversed.

Respectfully submitted,

BETTY WILSON, *Pro Se*,
801 Newberry,
La Grange Park, Illinois 60525.

APPENDIX.

BETTY WILSON, *Plaintiff-Appellant,* *vs.* EDWARD KRANTZ, DAVID LINN and LEONARD RING, *Defendants-Appellees.*	Appeal from Circuit Court, Cook County. Honorable Abraham Brussell, Presiding.

MR. JUSTICE DIERINGER delivered the opinion of the court:

The plaintiff, Betty Wilson, appeals from an order entered in the Circuit Court of Cook County granting summary judgment in favor of the defendant attorneys.

The sole issue which Mrs. Wilson has presented personally for review is whether the trial court properly granted summary judgment in favor of the defendants. It is not necessary for this court to discuss the argument which Mrs. Wilson presented in a rambling, incoherent and confusing manner, except to say it was completely void of any merit. A motion by the defendants to dismiss the appeal was taken heretofore by this court, and we have reserved ruling on such motion in deference to Mrs. Wilson who was appealing the order of the trial court *pro se*. Having read Mrs. Wilson's brief and heard her oral argument in which she admitted consulting approximately fifteen attorneys, including the defendants named herein, we hereby grant the motion of the defendants to dismiss the appeal.

APPEAL DISMISSED.

BURMAN, *P.J.*, and ADESKO, *J.*, concur.

UNITED STATES OF AMERICA

STATE OF ILLINOIS }
SUPREME COURT } ss.

At a Term of the Supreme Court, begun and held in Springfield, on Monday, the tenth day of September in the year of our Lord, one thousand nine hundred and seventy-three, within and for the State of Illinois.

PRESENT: ROBERT C. UNDERWOOD, *Chief Justice*
JUSTICE WALTER V. SCHAEFER
JUSTICE DANIEL J. WARD
JUSTICE JOSEPH H. GOLDENHERSH
JUSTICE THOMAS E. KLUCZYNSKI
JUSTICE CHARLES H. DAVIS
JUSTICE HOWARD C. RYAN
WILLIAM J. SCOTT, *Attorney General*
WILLIAM G. LYONS, *Marshal*
ATTEST: JUSTIN TAFT, *Clerk*

Bt It Remembered, that, to-wit: on the 26th day of September 1973, the same being one of the days of the term of Court aforesaid, the following proceedings were, by said court, had and entered of record, to-wit:

BETTY WILSON, *Petitioner,* vs. No. 45961 EDWARD KRANTZ, DAVID LINN and LEONARD RING, *Respondents.*	Petition to Leave to Appeal from Appellate Court First District. 56973 57539 64-D-15180

And now on this day the Court having duly considered the Petition for Leave to Appeal herein and being now fully ad-

vised of and concerning the premises, doth overrule the prayer of the petition and denies Leave to Appeal herein.

And it is further considered by the Court that said Respondents recover of and from the said Petitioner costs by them in this behalf expended, to be taxed, and that they have execution therefor.

I, Justin Taft, Clerk of the Supreme Court of the State of Illinois and keeper of the records, files and Seal thereof, do hereby certify that the foregoing is a true copy of the final order of the said Supreme Court in the above entitled cause of record in my office.

In Witness Whereof, I have hereunto subscribed my name and affixed the Seal of said court this 19th day of November, 1973.

/s/ JUSTIN TAFT,

(Seal) *Clerk,*
Supreme Court of the State of Illinois.